

**Court of Special Appeals**  
**Oral Argument Protocols**

**Background**

- All court personnel who will be in the courtroom have been fully vaccinated.<sup>1</sup>
- The distance between counsel tables and between each counsel table and the benches in each courtroom is greater than six feet.
- Plastic barriers will be placed between counsel tables.
- Counsel will argue from table-top podia placed atop each counsel table.
- Each side in a case is limited to no more than two individuals attending oral argument in person, including any arguing attorneys (i.e., either an arguing attorney and a party or two attorneys).
- Gallery seating will be socially distanced and limited to court personnel and those individuals (no more than two per side) present to attend the argument in progress or the next scheduled argument.

**Day of Argument Protocols**

All individuals attending oral argument (no more than two per side) must:

1. Provide proof of full vaccination or proof of a negative COVID test (**from a test taken within 72 hours before oral argument**).

AND

2. **On the morning of oral argument**, complete a health screening questionnaire before arriving at the courthouse.

In a separate notice, the Clerk has sent the webpages where counsel can upload their vaccination/testing status and take the questionnaire online.

Persons shall not attend oral argument if they:

Are experiencing any symptoms of COVID-19 (fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea).

---

<sup>1</sup> Fully vaccinated, according to the Centers for Disease Control and Prevention, means 2 weeks after receiving a second doses of the Pfizer or Moderna vaccines or 2 weeks after receiving the Johnson & Johnson Janssen vaccine. See [https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fullyvaccinated.html?s\\_cid=11350:fully%20vaccinated:sem.ga:p:RG:GM:gen:PTN:FY21](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fullyvaccinated.html?s_cid=11350:fully%20vaccinated:sem.ga:p:RG:GM:gen:PTN:FY21).

Have tested positive for COVID-19 within the past 14 days or are currently awaiting the results of a test, have been directed to isolate by a medical professional, or have had close contact (closer than six feet for more than 15 minutes in a 24-hour period) with a person who has been diagnosed with COVID-19 within the past 14 days.

Arguing counsel are required to inform the Clerk of Court, Greg Hilton (410-260-1450 or Greg.Hilton@mdcourts.gov) promptly: (1) before oral argument, upon learning of any condition that will render them unable to meet these conditions; or (2) if, within seven days after oral argument, they or a person accompanying them at oral argument display any symptoms of COVID-19 or test positive for COVID-19.

### **Argument Protocols**

Arguments will be staggered, with report times at either 9:00 or 10:30, and heard in groups of two. The second group will be directed to enter the courtroom by court personnel once the first group's arguments are completed.

The Court has recently installed cameras in the courtroom and will be webcasting oral arguments live from its website: <https://mdcourts.gov/cosappeals/webcasts>. The designated individuals attending oral argument (no more than two per side) may be present in the gallery during an oral argument only if they are there to attend that argument or the next scheduled argument in the same group. The gallery will otherwise be closed to the public.

All persons present in the courtroom will be required to wear masks at all times, except that judges and arguing counsel may remove masks while speaking *if* (1) arguing counsel has provided documentation of full vaccination; (2) the United States Centers for Disease Control and Prevention has identified Anne Arundel County as a “moderate” or “low” COVID-transmission county for 14 consecutive calendar days before argument;<sup>2</sup> and (3) the panel permits it. The presiding judge will announce at the outset of arguments whether fully vaccinated individuals will be permitted to unmask while speaking.

Counsel tables will be disinfected using disinfectant wipes before the first oral argument each day. Disinfectant wipes will be placed at each counsel table. Counsel are expected to wipe any surfaces they touched during oral argument before leaving the area. Incoming counsel should wait to approach counsel tables until their case is called.

Any counsel who intends to request that an argument be held remotely for a non-emergent reason must make a request in writing at least 10 days before the day of argument. Any

---

<sup>2</sup> [https://covid.cdc.gov/covid-data-tracker/#county-view|Maryland|24003|Risk|community\\_transmission\\_level](https://covid.cdc.gov/covid-data-tracker/#county-view|Maryland|24003|Risk|community_transmission_level)

such request must state the position on the request of all other parties who will be presenting oral argument in the case.